

SETTLEMENT AGREEMENT

This agreement is made and entered into between the Executive Branch Ethics Commission (hereinafter the "Commission") and Moses Young.

WHEREAS, this agreement involves the matter styled *Executive Branch Ethics Commission v. Moses Young*, Agency Case No. 10-006 and Administrative Action No. 10-EBEC-0164;

WHEREAS, the Commission is designated by statute as the agency responsible for enforcing the Executive Branch Code of Ethics, KRS Chapter 11A;

WHEREAS, on May 14, 2010, the Commission alleged facts in an Initiating Order that Moses Young violated the Executive Branch Code of Ethics at KRS 11A.045(1), KRS 11A.020(1)(c) and (d), and KRS 11A.040(1);

WHEREAS, Moses Young was at all relevant times mentioned in the Initiating Order a "public servant" as defined in KRS 11A.010(9), and thus is subject to the Executive Branch Code of Ethics; and

WHEREAS, Moses Young indicates his desire to resolve all issues in this action by the execution of a Settlement Agreement.

NOW, THEREFORE, in settlement of the above allegations, the Commission and Moses Young agree, pursuant to KRS 11A.100, as follows:

1. Moses Young admits that he committed violations of the Executive Branch Code of Ethics at KRS 11A.045(1), KRS 11A.020(1)(c) and (d), and KRS 11A.040(1), as stated in Appendix A of the Commission's Initiating Order of May 14, 2010, attached hereto and incorporated by reference herein.

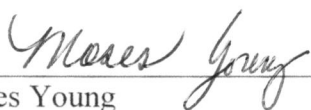
2. Moses Young agrees to pay the Commission a civil penalty of five thousand dollars (\$5,000.00) on or before the one (1) year anniversary of the execution of this Settlement Agreement by the Commission.

3. Moses Young agrees that upon the Commission entering the Agreed Final Order that he waives all rights to any further administrative process or appeal pursuant to KRS 13B.140 thereon.

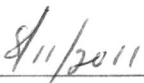
4. The parties further agree that the acceptance of this Settlement Agreement by both parties, and the fulfillment of its express terms, is in full accord and satisfaction of the herein referenced *Executive Branch Ethics Commission v. Moses Young*, Agency Case No. 10-006 and Administrative Action No. 10-EBEC-0164.

5. This Settlement Agreement constitutes a public reprimand to Moses Young, a copy of which will be provided to his former appointing authority pursuant to KRS 11A.100(3)(c).

IN WITNESS THEREOF, the parties have caused this agreement to be executed:

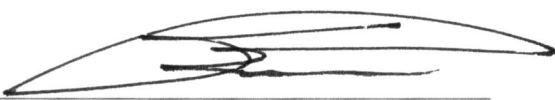


Moses Young

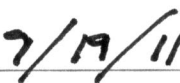


Date

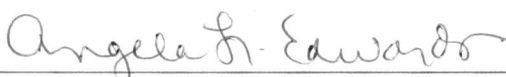
EXECUTIVE BRANCH ETHICS COMMISSION:



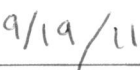
Chair, Ronald L. Green




Date



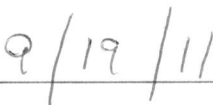
Vice-Chair, Angela Edwards



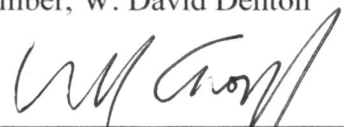
Date




Member, W. David Denton



Date




Member, William Knopf



Date



Member, William Francis



Date

**APPENDIX A
CASE NO. 10-006
INITIATING ORDER**

ALLEGATION OF VIOLATIONS

The Respondent, Moses Young, was at all relevant times an employee of the Commonwealth of Kentucky, serving as an Assistant Director in the Office of Inspector General, Division of Health Care Facilities and Services, Cabinet for Health and Family Services. The Respondent was subject to the jurisdiction of the Commission at all relevant times. KRS 11A.010(9)(h).

During the course of its preliminary investigation, the Commission found probable cause to believe that Moses Young committed the following violations:

COUNT I

Moses Young, during the course of his employment as an Assistant Director in the Office of Inspector General, Division of Health Care Facilities and Services, Cabinet for Health and Family Services, lived rent free in a residence owned by a corporation regulated by the Office of Inspector General, Cabinet for Health and Family Services. These facts constitute a violation of KRS 11A.045(1).

KRS 11A.045(1) provides:

(1) No public servant, his spouse, or dependent child knowingly shall accept any gifts or gratuities, including travel expenses, meals, alcoholic beverages, and honoraria, totaling a value greater than twenty-five dollars (\$25) in a single calendar year from any person or business that does business with, is regulated by, is seeking grants from, is involved in litigation against, or is lobbying or attempting to influence the actions of the agency in which the public servant is employed or which he supervises, or from any group or association which has as its primary purpose the representation of those persons or businesses. Nothing contained in this subsection shall prohibit the commission from authorizing exceptions to this subsection where such exemption would not create an appearance of impropriety.

See also KRS 11A.010(5), which states as follows:

(5) "Gift" means a payment, loan, subscription, advance, deposit of money, services, or anything of value, unless consideration of equal or greater value is received; "gift" does not include gifts from family members, campaign contributions, or door prizes available to the public.

COUNT II

Moses Young, during the course of his employment as an Assistant Director in the Office of Inspector General, Division of Health Care Facilities and Services, Cabinet for Health and Family Services, used his official position to give himself a financial gain by obtaining, rent free, a residence owned by a corporation regulated by the Office of Inspector General, Cabinet for Health and Family Services, in exchange for using his official position to secure or create advantages for that corporation by providing inside agency information and instructions to an individual affiliated with the corporation, in derogation of the public interest at large. These facts constitute a violation of KRS 11A.020(1)(c) and (d).

KRS 11A.020(1)(c) and (d) provide:

(1) No public servant, by himself or through others, shall knowingly:

.

(c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or

(d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

COUNT III

Moses Young, during the course of his employment as an Assistant Director in the Office of Inspector General, Division of Health Care Facilities and Services, Cabinet for Health and Family Services, knowingly disclosed and used confidential information acquired in the course of his official duties to further his own economic interest by providing inside agency information

and instructions, and obtaining favorable treatment with regard to administrative actions of the Cabinet for Health and Family Services, to an individual affiliated with a corporation regulated by the Office of Inspector General, Cabinet for Health and Family Services. In exchange for these actions, Young lived rent free in a residence owned by that corporation. These facts constitute a violation of KRS 11A.040(1).

KRS 11A.040(1) provides:

(1) A public servant, in order to further his own economic interests, or those of any other person, shall not knowingly disclose or use confidential information acquired in the course of his official duties.

(End of document)